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Signature: Barbara S. Pedersen

Date of Deposit: July 9, 2004



PATENT APPLICATION
DOCKET NO. 3068

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**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR(S): Chan, et al.

SERIAL NO.: 09/996,353

GROUP ART UNIT: 2875

FILED: November 27, 2001

EXAMINER: Ward, John A.

SUBJECT: Computer Keyboard Backlighting

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450.

DECLARATION UNDER 37 C.F.R. Section 1.131

We, W. Edward Church, and Randall W. Krafft, declare and say:

That we are two of the co-inventors in the above-identified patent application;

That we, with co-inventors Mr. Chan and Mr. Chu, conceived the invention claimed in the above-identified patent application prior to August 26, 1998, the filing date of U.S. Patent

No. 6,199,996 to Katrinecz, Jr., et al. That this conception occurred in the United States and in discussions held between us and one or more of the other co-inventors (Mr. Chan and Mr. Chu) while we were in the United States and in Hong Kong. Attached Exhibit A is a copy of notes and other records showing conception and reduction to practice of the invention claimed in the subject application. Specifically:

Page 1 discloses conception of the electroluminescent (EL) membrane as a source of light under and between computer keyboard keys.

Page 3 discloses conception of placing the EL material above a keyframe and circuit membrane, without a base plate positioned above the EL. Page 3 also discloses conception of using the EL material with a keyswitch comprising a cap, a hinge, and a rubber actuator.

Page 4 discloses conception of a keyboard adapted so that light is seen between keys, "on both X and Y axes".

Pages 2 and 5 disclose conception of EL material in alternative locations on keyboards:

- a) between the base plate and circuit board, with clear parts (e.g. plate, hinge, or key); or
- b) above a base plate directly below key top. In both of the listed alternative locations, page 5 describes light coming up through keys and between keys. In both of the listed alternative locations, pages 2 and 5 disclose that holes may be provided in the EL sheet through which portions of the keyswitches may extend.

That pursuant to this conception, we actually reduced to practice, in the United States and through discussions and work between us and one or more of the other co-inventors while we were in the United States and in Hong Kong, the invention claimed in the above-identified patent application prior to August 26, 1998, the filing date of the cited Katrinecz, Jr. patent.

Pages 1-5 and pages 6-9 of attached Exhibit A testify to this reduction to practice, wherein are discussed specific ways of implementing the EL material below a clear base plate or directly below the caps with no base plate, so that the EL material emits an amount of light up between the caps of the keys to be visible by a user.

That prior to the filing date of the Katrinecz, Jr. patent (August 26, 1998), and at least as early as the period of June 1998 through August 12, 1998 (the dates of the attached Appendix A pages), we, the undersigned co-inventors, with Mr. Chan and/or Mr. Chu conceived and reduced to practice the invention as claimed in at least the independent claims of the subject application, including the independent claims added in the Response to the Examiner submitted herewith.

That Exhibit A, showing the aforementioned conception and reduction to practice, correspond to the invention broadly disclosed and claimed in the above-identified patent application.

That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Further declarants saith not.

signatures attached
X _____ Date: _____
Signature
Randall W. Krafft
Typed Name

X _____ Date: _____
Signature
W. Edward Church
Typed Name

Pages 1-5 and pages 6-9 of attached Exhibit A testify to this reduction to practice, wherein are discussed specific ways of implementing the EL material below a clear base plate or directly below the caps with no base plate, so that the EL material emits an amount of light up between the caps of the keys to be visible by a user.

That prior to the filing date of the Katrinecz, Jr. patent (August 26, 1998), and at least as early as the period of June 1998 through August 12, 1998 (the dates of the attached Appendix A pages), we, the undersigned co-inventors, with Mr. Chan and/or Mr. Chu conceived and reduced to practice the invention as claimed in at least the independent claims of the subject application, including the independent claims added in the Response to the Examiner submitted herewith.

That Exhibit A, showing the aforementioned conception and reduction to practice, correspond to the invention broadly disclosed and claimed in the above-identified patent application.

That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Further declarants saith not.

X Randall W. Krafft Date: 7/6/04
Signature

Randall W. Krafft
Typed Name

X W. Edward Church Date: 7/6/04
Signature

W. Edward Church
Typed Name